Exhibit "E"

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

DONALD BELL; KATRINABELL,	
Plaintiffs,) CIVIL ACTION NO. 2:05 CV) 658-T
vs.	Ì
TRAVELERS PROPERTY CASUALTY INSURANCE COMPANY,)))

Defendant.

AFFIDAVIT OF MICHAEL DAVID GIBBS

- 1. My name is Michael David Gibbs. I am a resident of the State of Georgia. I am over the age of nineteen and am competent to testify about the matters contained in this affidavit. I am employed by Travelers Indemnity Company of America ("Travelers") in Alpharetta, Georgia as a General Adjuster. This affidavit is based on personal knowledge and/or business records maintained in the ordinary course of business.
- On December 23, 2004, the responsibility of handling the property damage claim made by Donald 2. and Katrina Bell on September 15, 2004 under their homeowners insurance policy issued by The Standard Fire Insurance Company ("Standard Fire") was transferred to me. Thereafter, I made decisions regarding what investigation was required of the loss; coordinated inspections of the subject property; reviewed and evaluated reports prepared of the inspections; and determined what damages claimed by the Mr. and Mrs. Bell were covered losses under the Standard Fire insurance policy.
- 3. Prior to my handling of this claim, the claim was assigned to Insurance Claims Adjusting, Inc. ("ICA"), an independent adjusting firm, to inspect the loss and report on the results of that inspection. After their initial inspection, ICA requested the assistance of a structural engineer and hired the engineering firm of Cain & Associates to inspect the home's foundation. After receiving the assignment of this claim, I reviewed the report from ICA and determined that, in an effort to expedite the claim, a local contractor needed to review the estimate at the loss site. I also obtained and reviewed the report from Cain & Associates. After reviewing this report, I determined that a more in depth inspection was required of the property before a decision could be made as to

covered loss. I contacted Daniel Engel of Gulf States General Contractors, Inc. and requested the he inspect the property as part of our continuing investigation. Mr. Engel performed an initial inspection on December 26, 2004. After talking to Mr. Engel, I personally inspected the property on December 27, 2004 and determined that a follow up inspection was required in order to further investigate and evaluate the loss and determine what, if any, damage was a result of a covered loss under the Standard Fire insurance policy. On January 19, 2005, I accompanied Richard Steed of Professional Inspection Consultants, Inc.; Daniel Engel of Gulf States General Contractors, Inc.; and Danny Hamner of Prickett-Hamner Electric, LLC to the property. Once I had the opportunity to study and evaluate each of the reports submitted as a result of these inspections, I made a determination that only part of the claims made by Mr. and Mrs. Bell were covered losses under the Standard Fire insurance policy.

- 4. After concluding this investigation, I issued payment to Mr. and Mrs. Bell for those damages which were covered losses under the Standard Fire insurance policy, minus their deductible, pursuant to the terms and conditions of Mr. and Mrs. Bells' policy.
- 5. I spoke to Mr. Bell following his receipt of theses payments. He stated that the amounts paid for alternate living expenses and for personal property loss were acceptable, and he had no complaint with Standard Fire with regard to these items. Attached to the affidavit is a true and correct copy of the claim note I made in reference to this conversation. This claim note is a business record maintained in the ordinary course of business and accurately reflects my conversation with Donald Bell.
- 6. Also attached to this affidavit are true and correct copies of claim notes made in reference to this claim. These claim notes are business records maintained in the ordinary course of business and accurately reflect information regarding the handling of this claim.

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STATE OF GEORGIA COUNTY OF

Michael David Gibbs

STATE OF GEORGIA COUNTY OF

I, <u>Sue A. Logan</u>, a Notary Public in and for said County and State, hereby certify that Michael David Gibbs, whose name is signed to the foregoing and who is known to me, acknowledged before me this day, that being informed of the contents thereof, he voluntarily executed the same on the day of its date.

Given under my hand and seal this the day of February, 2006.

Notary Public:

My commission expires:

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AFO: 877

CROS NOTE PRINT

DATE 05/16/04

07/05/05

1586586 K FR

COMMALD BELL

14:33

DC9 /DG PG 1 07 20

**** 09/16/04

FILE RES INITIAL ASSIGNMENT

OFFICE: 266 ASSIGNED TO CAT! - CATASTROPHE SUPERVISOR-AZGE

IN GROUP:

IN TERRITORY: 011

OFFICE ASSIGNMENT DETERMINED USING IMPACT PROFILES

** C9/16/OF NOT FILE SEN NOTICE TAKER INFORMACTION

: 249 - HOUSTON PL CLAIM - TCC

NOTICE TAKER: NOT - MATASRA TURNER

TELEPHONE : (866) 661-9042

09/16/04 DBOO FILE GEN DESCRIPTION OF LOSS TAKER BY CCC - HOUSTON HURRICANE IVAN CAUSED DNG TO ROOF WHICH IS NOW LOOSE AT EDGES W/FLAPPING, TR EES DOWN LAYING ON PAVILLICH & GAZERO, WATER DNG TO INTERIOR CEILINGS, MALLS, DRAPES, HARDWOCD FLOORING, FOOD SPOIL

**** 09/18/04 CBCO FILE GEN REMARKS HOTE TAKEN BY CCC - HOUSTON TITRAVERO REMERKS: **** BUILDING DAMAGE NOTES: CAT CODE 30. EXPLAINED CLAIM PROCESS, CALLER STATES THAT POSSIBLY DMG TO BARN POWER HAS BEEN OUT STINCE LAST PIGHT. & STORM STILL GOING ON POSSIBLY MORE D MG TO COME/200 STORY BRE MOST DMG.

**** 09/16/04 SYS COI GEN ISO CLAIMSEARCH SURMISSION CLAIM INFORMATION SENT TO 150 FOR: INITIAL CLAIMSEARCH REPORT_

**** 09/16/04 SYS 601 GER ISO NO WATCH REPORT MO ISO CLAIN SEARCH MATCHES WERE FOURD

**** 09/16/64 TROO FILE_GEN WORKPLOW/MITIGATION CHECKLIST(S) ENFO TAKEN BY

Information Discussed with the Insured:

- Advised Insured the claim handler will investigate the claim, review cove rage, and discuss the handling of the claim.

Windstorm/Hail Mitigation:

- Protect your property from any further damage. If temporary repairs are

needed, contact a contractor.

- The claim handler will evaluate the reinvursement of any emergency expens es. We are not committing to coverage or reimbursement of emergency expens

Trees Mitigation:

- Protect your property from any further damage.

- Complete temporary repairs such as covering up holes in the roof with a t

arp and bearding up broken windows.

- If a tree or limbs are on the building make arrangements to have the tree

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removed. If necessary, have debris cleaned up or obtain an estimate for the removal / clean up costs.

- The claim handler will evaluate the reimbursement of any emergency expenses. We are not computating to coverage or reimbursement of emergency expenses

Water Damage Mitigation:

- Protect your property from any further damage.
- Attempt to stop the source of the water lesk immediately. If necessary, contact a plumber or other professional to stop the flow of water.
- Clean up the water. Use either a wet vacuum or towels. Please do not use a regular vacuum to clean up water. If necessary contact a professional cleaning service to extract water.
- Save and set aside any damaged items and begin preparing a list of all da maded items.
- The claim handler will evaluate reinbursement of emergency expenses. We a
 re not committing to coverage or reinbursement of emergency expenses.
- OFFICE: 266 Reassigned via Claim Transfer REASSIGNMENT
 OFFICE: 266 Reassigned via Claim Transfer by: ZSMY-SUSAM M YECKLEY Transfer
 erred from: CATI-CATASTROPHE SUFERVISOR-AZ66 to ICAI IDDEPENDENT APPR (ICAI)
- **** 09/17/04 ZSMY 001 RES CLAIM TRANSFER REASSIGNMENT
 OFFICE: 266 Reassigned via Claim Transfer by: 25MY-5USAN M YECKLEY Transf
 erred from: CAT1-CATASTROPHE SUPERVISOR-4266 to ICA1 IDDEPENDENT APPR [IC
 All
- **** 09/17/74 ZJME FILE ESCALATION

 ESCALATED CLAIM ASSIGNED LOSS SENT E-MAIL AND FAX TO IA TO CONTACT INSO

 TODAY
- **** 09/19/04 MMM FILE Contact
 Attempted to call insured 334.746.2509. The call would not go through.
 Possibly phone problems due to storm.
- 1+++ 09/20/04 CH FILE Insd would like to be contacted on business # b Insd would like to be contacted on business # because phone system is still not working. Ph# 334-335-3311, 8am-5pm.
- **** 10/17/04 2JHS FILE RES CLAIM TRANSFER REASSIGNMENT
 OFFICE: 003 Reassigned via Claim Transfer by: 2JMH-JEAN M HARPER Transfer
 red from: JCA1-IDDEPENDENT APPR (ICA1) to ICA1 IDDEPENDENT APPR (ICA1)Cha
 nging name of manager

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17F-**29**-2**9**92 14:13 899 544 5898 68% 17F

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67/65/05 LSE6586 E FE

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FG 3 OF 20

**** IC/17/01 2JMH 001 RES CLAIM TRANSFER REASSIGNMENT OFFICE: 003 heassigned via Claim Transfer by: 2JMH-JEAN M HARFER Transfer red from: ICA1-IDDEFENDENT APPR (ICA1) to ICA1 - IDDEPENDENT APPR (ICA1)Cha nging name of manager

Rec'd following e mail from adj, via ICA mognitum

this house is a 1880 historic house. Wind has shifted each rooms wall, rain has come in thru the roof and i'm not sure where else and waiped all walls, floors and ceilings, the floors, walls, &ceilings are all wood, there is movement, the walls have moved. I think an engineer should inspect this property, please e-mail me with the name of a company that is in montgomery, alabams, we should get someone out there asap, I will set reserves on this property.

In my absence, 15 B Coffin, located a geo referral engineer 4 T've since relayed that info to ICA most.

**** 12/08/C4 ZBCC FILE Engineer for inspection of loss Gregg,

The only hit I found was as follows:

Cain &

Associates Engineers & Company, INC.

Contact: Hal K.

Caio

(251) 661-2605

(251) 660-1541

3751 Cottage

Rill Rd.

P.O. Box 16313

Mobile, AL

36609

_ They will

10**1-98-5562** 14:13 899 55, 5969 82. 51.93

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05 156 14 33 JA

APO: 67?

CFCS NOTE PRINT 07/05/05 DATE 09/16/04 1586586 8 88

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14:33

DCR /DG

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service all of Alabama.

Property

Engineering Evaluations.

Engineers

[AII].

Brian Coffin

St. Paul Travelers Dedicated Catastrophe Team

1-860-830-1820 cell number
----Original Message----From: Fryer, Gregg G.

Sent: Monday, November 29, 2004 5:55 AM

To: Coffin, Brian D

Co: 'clbrown@icmadjusters.com': Eryer,Gregg G.

Subject: FW: L5K6506 donald bell

Brian,

I m heading out the door to the airport & already closed out of Impact. Can you pull up the geo list & see if we have an engineer in Montgomery?

Thanks

----Original Hessage----

From: Brown, Chuck imailte:CLBrown@ICARDJUSTERS.com

Sent: Monday, November 29, 2004 9:13 AM

an sae eras stat 2602-201

To: Pryer, Gregg G.

Subject: FW: L5K6586 donald bell

Greg,

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07/05/05 L5K6586 K FR
CONALD BELL 14:33 CCM /DS
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We need assistance with this asap...

Chuck

----Original Hessage----

From: Rgrahecs.com Ymailto: Rgrahecs.com Sent: Honday, November 29, 2004 3:44 AM

To: clbrownficaadjusters.com Subject: 15KG506 donald beli

check,

this house is a 1680 historic house. Wind has shifted each rooms wall, rain has come in thru the roof and 1'm not sure where else and warped all walls, floors and ceilings, the floors, walls, toeilings are all wood, there is movement, the walls have moved. I think an engineer should inspect this property, please e-mail me with the name of a company that is in montgomery, alabama, we should get someone out there asap, I will set reserves on this property.

thanks, tomie greenhouse

**** 12/21/04 ZGGF FILE FILE REVIEW
Rec'd ICA's report, indicating the following damages:

Bldg: \$221,064.00 (B limits of \$214,000)

Cont: 11,126,00 OS: 447.50 2014 X96 8967 227 896 81:#1 8888—88—100

Total: 6232,636.13

An engineer with the firm of Caim & Associates has since inspected the loss & has reported the metal roof was damaged during the storm, allowing moisture to enter the structure & damage the ceilings, walls & floars. No temp repairs were conducted & a dry out will be necessary prior to commencing repairs.

Called MCU to report above. Also, since a CPA was not submitted by the IA

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on this loss, will have staff adjuster do so.

**** 12/22/04 SYST GO1 QUEUED FINANCIAL RECORD

ESTIMATE QUECED TO SUPERVISOR: ZOGY IN OFFICE: 266 FOR CLAIM: LSK6586

CLAIMANT: COI

*** 12/22/04 SYST OOL QUBUED FINANCIAL RECORD

ESTIMATE QUEUED TO SUPERVISOR: SAT IN OFFICE: 266 FOR CLAIM: LSK6586

CLAIMANT: OCL

**** 12/22/04 SYST CO1 QUEUED FINANCIAL RECORD

ESTIMATE QUEUED TO SUPERVISOR: SAT IN OFFICE: 266 FOR CLAIM: LEXESBE

CLAIMANT: 001

**** 12/22/04 ZGGF FILE RESERVE RATIONALE - 90

Requested following reserves:

B - \$160,000

FPR - \$5000

ALE - \$5000

EXP - \$5000

Completed & submitted SLR to SAT.

**** 12/23/04 LMK FILE SUB subro review CAT 30 loss from hurricane Ivan

I have reviewed the file notes and it appears that the home was constructed in 1880 and the damages are a direct result of the high winds and rain from the hurricane. I will be closing this subro referral and if new information is developed that would lead to an avenue of pursuit is found.

I will reopen the file and review.

Advising GA of closing and will ask that he advise if any new into develops for review.

**** 12/23/04 ZGGE FILE FILE TRANSTER

Rec'd to from Laurie at MC, file will be reassigned to David Gibbs. Transferring loss to AFCB*7.

**** 12/23/04 ZGGF FILE GEN CLAIM OFFICE TRANSFER
File Transferred by: 25GF-GREGG FRYGR Transferred from ICAI-IDDEFENDENT A
PPR (ICAI) in office to 677-HO MAJOR CASE - PROPERTY

**** 17/23/04 ZJDF TILE Called insured

OS 186 14 33 JR

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07/05/05 L5K6586 K FK

DORALD BELL 14:33 CCH /DG
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I discussed file w/ UM GF. He advised I call insured and have them put a temp repair on the roof to prevent any more moisture getting into the home. I called the insured and left a message w/ my contact info and contact info for two geo contractors that they can try:

B. A. Parson Contracting Co. Inc.
 315 W Fleming Rd
 Montgomery, AL 36105
 4334)-288-0351

Lawson Construction Co, L.L.C. 323 Randolph St Montgomery, AL 36104 (324)-264-5055

e

**** 12/23/04 HMT 001 SUB SUBRO REFERRAL
A SUBRO REFERRAL WAS MADE ON 12/23/2004 FOR CLMT 001
BY HMT IN OFFICE 295

12/23/04 SYS 001 GEN XACTIMATE REQUEST XACTIMATE REQUEST SENT TO NGIEBS ON 12/23/2004

12/23/04 SYS 001 GER XALTIMATE REQUEST REJECTED

XACTIMATE REQUEST SERT TO MGIBES OR 12/23/2004 WAS REJECTED.

ERR21 Address TRAVELERS.CHARLCTTE.NC.HDG does not have profile 68 install

R.d. %86 8885 775 888 Pt:41 8885-89-4UT

**** 12/23/04 PG FILE RES REASSIGNMENT

OFFICE: 977 Re-assigned by: TC -TAYMA GRAHFM Transferred from: X40 -CLAI

MANT REFERRED to DG - MICHAEL SIRES

**** 12/23/04 FG 001 RES PERSSIGNMENT

OFFICE: B77 Re-assigned by: TG -FRYMA GRABAM - Transferred from: X40 -CLAI

MANT REFERRED to DG - MICHAEL SIEBS

**** 12/23/04 SLO DUI REE REASSIGNMENT

OFFICE: 295 Re-assigned by: SLC -SUSAN O"COMMOR Transferred from: - to LM

K - LYMETTE KOCIALSKI

**** 12/23/04 DG FILE ADM Received new loss. Called insured to advise th Received new loss.

Called insured to advise that I had his claim, he went off!!! He said I had better start on my way there now. I advised that I just gotten the claim from the Atlanta Office. He told me that he is tired of Waiting!! that I am the 4th person with his claim, enough is enough. I explained that I could

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DOMALD BELL 14:33 DCH /DG
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understand him being upset, however I have the claim tow. He said the Independent had already told him that he was finished with the claim and was turning it in for approval. I told him that I will try to get in bouch with the I/A Ronnie Greenhouse he gave me his number 936-537-8699 to discuss.

Called Craig Fryer 860-830-1419 to discuss.

Called Mr. Greenhouse to discuss. He said that the insured had someone re-screw the tin roof back down and recault everything. He said there was no water coming in the house now.

He told me that he figured replacing all of the wood in the home, wall's , reilings, floors. He didn't appear sure that he had written an accurate estimate , from the standpoint of this type of claim and the t/g wood interior finish. He admitted he didn't really know that much about it. We also mentioned that the house had some termite damage that he didn't pay for.

I asked if he would e-mail me a copy of everything. I told bin that it wasn't enything personal, but that under the circumstances and in an

CHARCECTORIES OF 1902 THE BOD CONTOURS CARDOCARD, WE FOURT COOR ON PAGE

101-**08-2026** 14:14 360 277 2808 96% 41:10

effort to try and expecite this claim. I was going to contact a local contractor to have him take the estimate and review at the loss site. He said he understood.

Called Dick Sweeney to discuss. Intro.

Called B.A. Parson construction, spoke to Bill Parsons to see if he could get to this loss. He said it was out of his territory.

Called insured back \$2:16 P.M., Im on we that I will have the home inspected tommorro by Dan Engel with Gulf States General Contracting 251-786-1881 to see if we can move this thing forward. I advised the insured that Mr. Engel will call or he can contact him if neccessary and left his business number.

Called Mr. Engel he will look at the loss tommorrow December 24th and call me back.

**** 12/31/04 DG FIEE AIM Received call from Dan Engel on monday. He had Received call from Dan Engel on monday. He had been to the loss site and suggested strongly that I should go inspect. He said he could not possibly relate what the insured is claiming to the actual loss.

I told him that I will inspect on Monday Dec 27th 2004.

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DONALD BELL 14:33 DCH /DG
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I inspected the loss on the 27th. The insured showed up to let me in. Based on my inspection I cannot relate that much damage from water or the storm.

I called Cain Engineering they had inspected the Loss. I advised him that I didn't have him report. He said he would over night it to me.

I received the engineering report. They only inspected the house for foundation movement. They weren't ask to check out the attic or the most structure to establish where and how water may have gotten in the house. I told Mr. Cain that I needed a more indepth investigation so that we can properly write the damage we would ove. I realize that was not his original instruction. I could tell from his report that the insureds home has severe termite damage though.

We agreed that we will set up an inspection asap.

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Called insured on Friday Dec 30 th 1 a vm to call me.

Received call from the insureds wife on Honday while we were closed.

Called the insureds wife back this morning at 9:05 a.m. To advise that I had been the engineers report, but it only addressed the foundation. I advised Rrs. Bell that we need to get into the house and address all related issues, structural, electrical etc. I told her that If she could get back to me asap with a day and time we can inspect that I will coordinate having the people needed there. She said she would discuss with her husband and get back to me.

No word from insureds. I called back at 7:17 p.m. I spoke to Mr. Beil. He said he was tired of people going back and why did they have to anyway. I explained that all of the issues relating to the loss have not been addressed. He said that I was just shopping! I advised him that I was using the same engineering firm, and that Mr. Engel will also be there. He got very defensive!! He asked if I had received a report from Mr. engel. I told him that I had not, that he was probably covered up with losses just like me. He kept on talking about how long it's been and that I said I was the last person that would be involved.

I reiterated that was correct, and the engineering company is the same one. I tried to make him understand that, if we have missed something now we will have to come back again, which will just delay everything.

I told him that we are trying to be sure we have addressed everything that was related to his loss completely. We kept on arguing about how long etc.

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I explained that we are entitled to inspect the loss as often as reasonably necessary, and until we had addressed everything we weren't finished! I told him it appears that he doesn't want us to get through with the loss. I explained the reason I had called last Friday was to try to set up the inspection for today. I told him that if he doesn't want is ther that's of it's his call, however his claim won't get resolved. He said he would talk with his atty and get back to me with a day and time. I told him that was fine.

He then calmed down a little and said that we could come Thursday at 10:00 a.m. I told him that would be fine. I understood that he was busy and he

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could have anyone let us in that was up to him. He said his wife wil have the house unlocked and tell me where to hide the key. I thanked him for his tine.

Called Dan Engel with Gulf States He will be there Thursday.

Called engineer Hal Cain im that we can inspect at 10:00 a.m. Thursday. Called his cell # lm about inspection cate.

**** 01/06/05 DG FILE ADM Theck my vm this morning at 4:31 a.m. before gu Check my wm this morning at 4:31 a.m. before going to re-inspect this loss. Insured sent wa after I left office yesterday advising they just found out they have to be out of town and will not be there to open the house. They wanted to know if we can come Jan 14th, 17th, 18th, or 19th.

Sent e-mail to insured advising that I will have to see when we can re-schedule and get back to them.

Called Engineer Hal Caim 1 vm on office # and cell 4. Called contractor Dan Engel I wm on office # and cell #.

Received invoice from Cair Engineering for their original inspection for \$4,000.67. Input payment. Their original inspection shows extensive termite damage in the floor support beams of the home.

**** 01/17/05 DG FILE ADM Called insured to re-schedule inspection. He wi Called insured to re-schedule inspection. He will have the house open for us on Wednesday Jan 19th at 10:00 central time.

Called contractor Dan Engel and structural engineer Bicky Steed to advise.

**** O1/18/05 DG OOI GEN ULAE EXPERSE INPUT MADE BY DG -S FOR CLAST & OLAE EXPENSE INPUT NADE BY DG -S FOR CLAT ! 001 REF NUM: DG00011805085020 INVOICE 4: L5K6586-1 DATE: 01-18-05

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CRCS NOTE PRINT 07/05/05 14:33

DATE 59/16/04 L5K6586 & ER DCH /DG

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DONALD BELL

ACTIVITY: INFUT AMOUNT OF \$

370.53

FOR PAYEE: RONNIE GREENHOUSE

EXP DESC: 06

**** 07/24/05 ISO 001 GEN ISO CLAIM SEARCH SUBMISSION

CLAIM INFORMATION SENT TO ISO FOR A REPLACEMENT CLAIM SEARCH REPORT

ے تیے X96 8082 442 099 1.7F-09-5002 14:12

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**** G1/27/G5 DG FILE ADM Het at loss site 01-19-2005 610:00 a.m. with in Met at loss site 61-15-2005 010:00 a.m. with insureds son, Richard Steed and Glen Brown structural angineer's with Professional Inspection Consultants Inc. Dan Engel with Gulf States contracting company, and Danny Hammer an electrician with Prickett-Hammer Electric.

Mr. Hammer isopected all of the electric circuits in the house and in the pump house. The transformer for the sprinkler system had been shorted out by the storm. The lights and outlets were checked in the house. Ho problems were found with them as a result of the storm.

The engineers went into the attic each room and underneath the home to inspect. They are in the process of forwarding their report, however based on their discussion at the loss site, the only thing they were able to connect with the loss was the obvious ceiling areas that were stained from the water, there was also outside damage to a small area of the tin roof. I arbor, and a 10' section of fence. There were also 3 trees that needed to be removed from covered structures.

Mr. Engel completed and forward an estimate to me this morning for \$4,492.54 for other structures and \$2,915.59 for the dwelling. 1 will contact the insured to advise as soon as I receive the written report from Ricky Steed.

**** 02/01/05 CG FILE ADM Received estimate back for repairs from Daniel Received estimate back for repairs from Daniel Engel. The damage for the dwelling came to \$2,915.59-\$500.00 deductible =\$2,415.59. The estimate for the other structures came to \$4,492.54. Check issued to insd and mortgage company \$6,908.13 and sent to the insured. Since the claim was very small in nature and the home other than the pre existing damage was in reasonably decent shape, no depreciation was applied to the effected areas.

Received report from FIC, INC Engineering company. As I had felt from my original inspection the majority of the damage the insured had claimed is pre-existing, except for the obvious tree damaged areas and leaks to the ceilings. The walls and the floors are copped, but you can also tell from the paint on them and in the joints between it has not been disturbed, which shows that they were in this condition when they were painted last!! see engineers report for more information).

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14:33

DCB /DG PG 12 OF 20

Called insured's work number to advise that I had the estimates and the

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engineers report. I got his wm I left a message on it that I was issuing the payment and that he needs to get something done immediately about the roof. I explained that he should have already done so, as he has to take the necessary steps to mitigate his damages. I advised him that the contractor Mr. Engel was ready and willing to perform all of the work upon his request. I left word for him to tall me if he has any questions. I will follow up with a letter to the insured.

Called Dan Engel to discuss. He said he had already spoten to the insured s wife and sent them a ropy of the repair estimates. He also told Mrs. Bell that if her husband would give him permission he will get the roof fixed immediately and finish all of the repairs if he wanted. Mr. Engel said he has not heard back from either party.

Revised reserves.

**** 02/07/05 DG FILE ADM Insured / Risk: Insured sustained some damage Insured / Risk:

Insured sustained some damage from Hurricane Ivan. An independent was contacted to do the inspection. After his inspection the independent was involved in an auto accident after leaving the site and was in a coma for over a month. Another adjuster from the same firm was assigned the loss and after his report came in to Travelers. It was assigned to me. Inspected the loss 12-27-04.

The insured's are 47 year old Donald Bell and his wife 31 year old Katrina.

Mr. Bell has been employed by Micks Distributors for the past 25 years.

They sell hunting, and fishing equipment. Mrs. Bell is a housewife.

They have 2 children Derek age 21 who is a college student and Marissa age

23 also in college. There are no smokers in the household.

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CPCS NOTE PRINT

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The insured s have 2 mortgages with the property. The 1st mortgage is with Frincipal Residential with a Balance of \$173,000.00 and a \$1,381.00 monthly payment. The 2nd mortgage is with South trust. It has a balance of \$100,000.00 with a \$350.00 monthly payment. All payments are current based

on inured statement. The insured s have owned the home about I years.

The risk was originally built in the 1600's and is approximately 170 years old on S acres of land. It is a wood sided 2 story screeture on a crawl space. The approximate square footage is 2,448 with a 282 square foot covered front porch. The home consist of a titchen, library, parlor, dining room, butler pantry front and rear foyers, utility area, and bathroom on the lower level. The upper level has 2 bed rooms and a storage area. One of the bed rooms has a tub, toilet and sink that is open.

An ITV was completed for \$187,240.00.

Coverage:

Coverage is provided by an 50-3 6-91 special form with the following endorsements:

12-02 Limited Fungi / Other Microbes / Rot Remediation \$10,000. 60-628

07-77 Premises Alarm/ Fire Protection / Dead Bolts. KO-216

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66-99 Yalue Added Package. 58064

HA-300 AL 12-02 Special Provisions - Alabama.

The policy has been in effect since 06-2001. The loss date falls within the coverage period of 06-26-2004 to 06-26-2005 and from a covered peril Windsterm. There is a \$500.00 deductible on the loss. Inflation Gward:

Not applicable on this loss.

Loss Facts:

The insured reported the loss on 09-15-2004. Because of the location and the amount of storm losses, the claim was assigned to Insurance Claims Adjusters Inc. out of Charlotte NC. The original claim handler was Travis Cartwright. He had inspected the loss and completed his photos and scope, however after leaving the loss site he was in a serious auto accident leaving him in a comma. The I/A company assigned Ronnie Greenhouse to go back and inspect. Mr. Greenhouse oldn't have any of the original claim handlers information at the time. He completed an estimate based on what was wisible and what the insured alleged had occurred to all of the interior wall and floor finishes. Mr. Greenhouse completed an estimate for \$221,064.63 for dwelling repairs and tree removal and \$11,124.00 for contents loss. He calculated \$447.50 for other structures damage. The grand

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total came to \$232,636.13.

I reviewed the report called the insured who was very demanding and short with me. He kept relling me that I was the 4th person and it had been 3 months etc. I explained that in an effort to excedite the claim, I will have a local contractor come on out and inspect. I called Dan Engel with Gulf States General contractors. He said he would be out that weekend. He inspected and called me back and said I definitely needed to see the loss. He said the insured was trying to allege that all of the walls and floors and ceiling were damaged by water. He said there was no way he could relate it. I met with the insured and inspected the loss on Dec 27th 2004.

Damages:

Based on my inspection the estimate completed was out of line. The damage I saw in relation to the storm was small. However the insured was telling me that the walls, floors, ceilings were all warped as a result of the massive water damage the home received. After I inspected I told the insured that I would be back in touch. I contacted Cain Engineering fitm. They had been hired by the independent adjuster to sheck out the foundation. I ask them to forward their report. I received the report from Cain it only addressed the foundation, however it made mention of the walls

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and floor damage the insured told them was connected. I ask them if they went into the artic they said they had not. I advised them that with the blown in insulation it will be easy to tell where it had gotten wet because it will lay down and matt together. Mr. Cain said that was true. But they were not asked to check the attic.

I called the independent Ronnie Greenhouse and advised on what I had seen in regard to actual damage. We said the insured was very pushy in showing him where to look and claiming that all of the wood in the home was warped from the storm. I explained that I was going to have an engineer inspect the attrearea to address exactly where water came in.

Completed the follow up inspection on Jan 19th 2005, with structural engineer Richard Steed and contractor Dam Engel and electrical contractor Damny Hamner. After completing the inspection Mr. Steed concluded that the walls and floors were pre-existing and not related to our loss and that only the actual water stained ceiling areas were related.

Dan Engel's Estimate for repairs came to \$4,492.54 for other structures and \$2,915.59 for the dwelling. Copies of the estimate were sent to the insured along with a certified letter advising him that he needs to get the roof repairs done immediately. Payment was also issued minus the \$500.00 deductible.

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Information and photos have since been recovered from the original claim handler and are in the file.

Contents:

Passed on the photos and the actual inspection of the home, any damage to personal property should be very minor. I will have to schedule an inspection of the claimed items, which the insured s wife said they still have. In the photos I received from the original claim handler, I could see what appeared to be a water stained table cloth. The insured s submitted a move out expense of \$4,800.00 and a move back expense of \$4,800.00 These items are still to be addressed with insured.

Additional Living Expenses:

The insured's are renting a house they found for \$1.200.00 per month for 6 months. The actual time needed to complete the repairs would be about 4 to 6 days. These items are still to be addressed with insured.

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Subrogation / Indemnification / Contribution Details / Apportionment /

Recovery:

Home that I am aware of.

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Salvage:

None

Experts:

Cain & associates.

Professional Inspection Consultants Inc.

Prickett-Hammer Electric.

Dan Engel General Contractors.

Plans for Puture Handling:

Diary for follow up with the insured to address Personal Property and Ale.

Loss Prevention by Insured that have avoided or minimized loss: The loss couldn't have been avoided.

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However the insured should have covered the roof ASAP after the loss which was 3 months ago. As lete as my last inspection he has still not done so!

Completed CFA e-nailed. Copy in Tile.

**** 02/19/05 DG FILE ADM Loss Adjustment
Received original engineers report and invoice for \$1,525.00 input payment
to PIC. INC.

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Received invoice from Gulf States General Contractors Inc. for inspection services for \$751.80. Input payment.

**** 07/28/05 DG 001 ADM Loss Adjustment Still no word from insured. Received signed receipt for the letter that was sent to the insured.

I spoke to contractor Dan Engel he said that he has called again and again and the insured has not returned any of his calls.

Set 180 day reserve.

•••• 03/02/05 DG 001 ADM loss Adjustment Called insured office left message on insured was to call me so we can see about resolving the contents and ale portion of the loss.

**** 03/04/05 DG 003 ADM

Still no word from insured. Input check for Ale \$6 Mos at \$1,200.00 per =\$7,200.00. Paid moving expense \$9,600.00(out \$4,800, in \$4,800; paid for contents loss items \$13,610.00. List in file.

Closing file.

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6:30 p.m. Called at 8:00 p.m. he was gone his wife said, I told her that I would try back later. Called back left vm.

Called later he was in the shower. I advised that I will try on Saturday.

Called insured Saturday March 12th Insured was in the shower. I advised Mrs. Bell that I will try bim again later.

Called Insured Sunday got wm left word that I will be in office Monday.

Recy on from insured Monday. Called back to his work he was out. Called insured back. He said he had gotten the check for ALE and the Personal Property and that was fine, But he didn't think that Mr. Engle's estimate was enough to fix the home. I explained to him that Mr. Engel was more than glad to do the repairs and had in fact called and left messages to that effect about 6 time with no call back.

Mr. Bell said he thought that the estimate that Mr. Green house had done

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was approved. I explained that it wasn't! I told him that the only approved estimate is the one from Mr. Engel based on our inspection with the engineers and the actual storm damage done to the house. I explained we couldn't pay anymore than we owa. He said so Travelers isn't going to pey any more, I advised him based on what we have inspected no.

I then said look Mr= Bell and he hung up the phone !!!!!

Called contractor Can Engel. He told me that he never received a call from the insured and would be glad to do the repairs for his estimate.

**** 05/06/05 DG FILE ADM Loss Adjustment

Received call from insd Mrs. on Tuesday May 3rd 2005. She said there were a comple of things she wanted to discuss. I advised her that I was out of town and would call her today.

Called insured to discuss claim. She said there well pump may not work and that a couple of the deck slats for the tir were damaged. I advised her that she could have the repairman give me a call and I will discuss it with them.

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